

UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America
v.
MICHAEL TROY HODGES,

Defendant

Case No. 1:22-mj-00213-CL

Charging District's

Case No. 2:16-cr-00059 TS

COMMITMENT TO ANOTHER DISTRICT

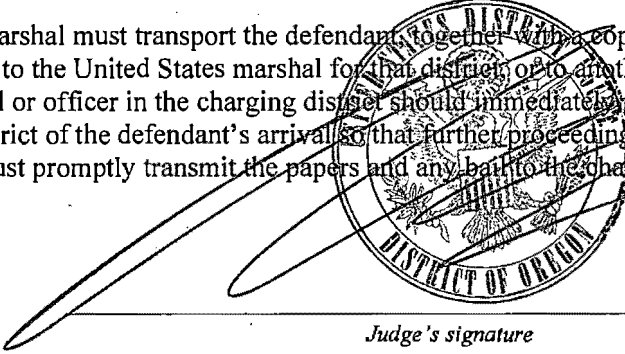
The defendant has been ordered to appear in the _____ District of Utah,
(if applicable) _____ division. The defendant may need an interpreter for this language:

The defendant: ☐ will retain an attorney.
☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 12/05/2022



Judge's signature

Magistrate Judge Mark D. Clarke

Printed name and title

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 1:22-mj-00213-CL

ORDER OF DETENTION AFTER
HEARING (18 USC § 3142(i))

MICHAEL TROY HODGES

Defendant

- ☐ On motion of the Government involving an alleged:
- ☐ risk to the safety of any other person or the community for cases involving crimes described in 18 USC § 3142(f)(1)
 - ☐ serious risk defendant will flee:
 - ☐ serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,
- ☐ Upon consideration by the court *sua sponte* involving a:
- ☐ serious risk defendant will flee:
 - ☐ serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,

Having considered the nature and circumstances of the offense charged, the weight of evidence against the defendant, the history and characteristics of the defendant, and the nature and seriousness of the danger to any person and to the community that would be posed by the defendant's release, the court finds that:

- ☐ The offense charged creates a rebuttable presumption in 18 USC § 3142(e) that no combination of conditions will reasonably assure the safety of the community.

- ☒ No condition or combination of conditions will reasonably assure the appearance of defendant as required due to:
- ☐ Foreign citizenship and/or illegal alien ☐ In custody/serving sentence ☒ Unknown family/employment/community ties
 - ☐ ICE Detainer ☐ Outstanding warrant(s) ☒ Unstable/ no residence available
 - ☐ Deportation(s) ☒ Prior failure(s) to appear ☒ Information unverified/unverifiable
 - ☐ Multiple or false identifiers ☐ Prior supervision failure(s) ☒ Substance use/abuse
 - ☐ Aliases ☐ Mental health issues
 - ☐ Prior criminal history ☐ including drug/drug related offense ☐ including alcohol/alcohol related offense
 - ☐ Prior probation/parole violation(s) ☐ including illicit drug use ☐ including alcohol abuse
 - ☐ Other: _____

- ☒ No condition or combination of conditions will reasonably assure the safety of other persons and the community due to:
- ☐ Nature of offense ☒ Prior supervision failures
 - ☐ Arrest behavior ☒ Substance use/abuse
 - ☐ Possession of weapon(s) ☐ Mental health issues
 - ☐ Violent behavior ☐ Alleged offense involves child pornography on the internet
 - ☐ Prior criminal history ☐ including drug/drug related offense ☐ including alcohol/alcohol related offense
 - ☒ Prior probation/parole violation(s) ☐ including illicit drug use ☐ including alcohol abuse
 - ☐ Other: _____

- ☐ Defendant has not rebutted by sufficient evidence to the contrary the presumption provided in 18 USC § 3142(e).

- ☐ The defendant is detained without prejudice to further review by the court at a later date.

THEREFORE, IT IS ORDERED that:

1. Defendant is detained prior to trial;
2. Defendant is committed to the custody of the Attorney General for confinement in a corrections facility separated, as far as practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. Defendant shall be afforded a reasonable opportunity for private consultation with his counsel;
4. The superintendent of the corrections facility in which defendant is confined shall make the defendant available to the United States Marshal for the purpose of appearance in connection with any court proceeding.

DATED: _____

12/5/22

United States Magistrate Judge

CUSTODY, TRESTRAMENT,

**U.S. District Court
District of Oregon (Medford (1))
CRIMINAL DOCKET FOR CASE #: 1:22-mj-00213-CL All Defendants**

Case title: USA v. Hodges

Date Filed: 12/05/2022

Assigned to: Magistrate Judge Mark D.
Clarke

Defendant (1)**Michael Troy Hodges**

represented by **Devin D. Huseby**
Federal Public Defender
15 Newtown St.
Medford, OR 97501
541-776-3630
Fax: 541-776-3624
Email: devin_huseby@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints**Disposition**

Supervised Release Violation: Original
Charges: Possession of Methamphetamine
with Intent to Distribute; Possession of
an Unregistered Sawed-Off Shotgun;
Possession of an Unregistered Destructive
Device

Plaintiff

USA

represented by **John C. Brassell**
 U.S. Attorney's Office
 310 West Sixth Street
 Medford, OR 97501
 541-776-3564
 Fax: 541-776-3583
 Email: john.brassell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
12/05/2022	<u>1</u>	Documents Received From Other Court as to Michael Troy Hodges from District of Utah Case No: 2:16-cr-00059-TS. Initial Appearance is set for 12/5/2022 at 03:00PM in Medford by videoconference before Magistrate Judge Mark D. Clarke. (rsm) (Entered: 12/05/2022)
12/05/2022	2	Minutes of Proceedings: Initial Appearance pursuant to Rule 5(c)(3) for Arrest in Our District Offense in Another. Proceedings before Magistrate Judge Mark D. Clarke as to Michael Troy Hodges. Defendant appeared by videoconference. Defendant waived preliminary/identity hearing. Defendant advised of rights and waived reading of the charges. Order Appointing Counsel: Devin Huseby. Other Court Information: USA v. Michael Troy Hodges - Case No. 2:16-cr-00059 TS. Defendant detained. See formal Detention Order and Commitment to Another District. Counsel Present for Plaintiff: John Brassell. Counsel Present for Defendant: Devin Huseby. (USPO Present: Juan Gonzalez) (FTR: Medford Courtroom 2) (rsm) (Entered: 12/06/2022)
12/05/2022	<u>3</u>	ORDER OF DETENTION as to Defendant Michael Troy Hodges. Signed on 12/05/2022 by Magistrate Judge Mark D. Clarke. (rsm) (Entered: 12/06/2022)